REMARKS

Claims 1 to 36 are in the application, of which Claim 1 is still the only independent claim. Reconsideration and further examination are respectfully requested.

Claim 22 has been amended so as to attend to any perceived inconsistencies in its language. Withdrawal of its rejection under 35 U.S.C. § 112, second paragraph, is therefore respectfully requested.

No art-based rejection was applied against Claim 22, which is therefore believed to be in condition for allowability.

Likewise, no rejection of any kind was entered against Claims 17, 27 and 31, which are therefore understood by Applicants to recite allowable subject matter. In this regard, a contrary indication on the Summary sheet for the Office Action, to the effect that all of Claims 1 to 36 were rejected, is believed to be an inadvertent retention of a similar indication on the Summary sheet from the prior Office Action (dated May 6, 2003), which was not updated when an obviousness-type double patenting rejection of those claims was withdrawn. If Applicants' understanding of this matter is incorrect, however, clarification of the status of Claims 17, 27 and 31 is respectfully requested.

Claims 1, 6 to 12, 32, 35 and 36 were rejected under 35 U.S.C. § 103(a) over U.S. Patent 6,176,908 (Bauer); Claims 10 to 16, 18 to 21, 23 to 26, 28 to 30, 33 and 34 were rejected over Bauer in view of U.S. Patent 5,865,883 (Teraoka); and Claims 2 to 5 were rejected over Bauer in view of U.S. Patent 5,728,201 (Saito). Clarification is respectfully requested of the intended basis for rejection of Claims 10 to 12, which have

the fluorescent dye is 0.08% by mass, the resulting ink cannot achieve the meritorious effect of the invention.

Likewise, the content of fluorescent dye disclosed in Comparative Examples I-7 and I-12 of this application is 0.45% by mass, which falls within the range according to Bauer. As before, however, these comparative examples cannot achieve the meritorious effect of the invention.

Similarly, the content of the direct dye according to the invention ranges from 0.11 to 0.4% by weight based on the total amount of ink. The comparative examples show the meritorious effect of the present invention, and it is Applicants' position that these comparative examples comprehend any ranges disclosed in Bauer and exemplify the failure of Bauer to obtain the meritorious effect of the invention.

Teraoka and Saito have been reviewed, but are not seen to add anything to he above-noted deficiencies of Bauer. Specifically, Teraoka does not describe mixing dyes, and hence could not possibly be pertinent to the disclosure of Bauer or to the invention. Likewise, Saito does not describe anything concerning Acid Red 52 and hence is inapplicable.

In entering the new rejection over Bauer, the Office Action conceded that Bauer's range of Acid Red 52 is outside of the claimed range. However, page 8 of the Office Action maintained that a *prima facie* case of obviousness nevertheless exists since they are "close enough". Applicants respectfully disagree. Rather, as asserted above, the ranges claimed by the invention herein achieve a meritorious effect not found in the prior art and nothing in the Office Action contends otherwise. Specifically, nothing in the Office

Action demonstrates, through citation to prior art, that the meritorious effect of the claimed invention would have been expected based on the departure of the invention from known ranges.

It is therefore respectfully submitted that the invention herein would not have been obvious from Bauer or Bauer in any permissible combination of Teraoka and Saito. Withdrawal of the § 103 rejections is therefore respectfully requested.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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